

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

DeKENYA NELSON	§	
TDCJ-CID #687262,	§	
Plaintiff,	§	
V.	§	C.A. NO. C-07-380
	§	
OFFICER MARTIN,	§	
Defendant.	§	

OPINION AND ORDER OF TRANSFER

This is a civil rights action brought pursuant to 42 U.S.C. § 1983. Plaintiff is presently incarcerated at TDCJ-CID's Estelle Unit in Huntsville, Texas. Plaintiff sues an official at TDCJ's Telford Unit in New Boston, Bowie County, Texas, alleging that the official stole personal photographs from him (D.E. 1). Bowie County is located in the Eastern District of Texas, Texarkana Division. 28 U.S.C. § 124(c)(5).

Venue in federal question cases lies in the district in which any defendant resides or in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1391(b). A district court has the authority to transfer a case in the interest of justice to another district or division in which the action might have been brought. 28 U.S.C. §§ 1404, 1406; Balawajder v. Scott, 160 F.3d 1066, 1067 (5th Cir. 1998). The alleged events giving rise to plaintiff's claim occurred when plaintiff was incarcerated at New Boston Unit in Bowie County, Texas, and the defendant is defendant is located in Bowie County.

Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States District Court for the Eastern District of Texas, Texarkana Division.

ORDERED this 2nd day of November, 2007.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE